

**REMARKS**

**STATUS OF CLAIMS**

Claims 1-9 are pending.

Claims 1-9 are rejected under 35 U.S.C. §102(e) as being anticipated by Perfit et al. (U.S. Patent 6,535,728).

Claims 1 and 9 are amended, new claim 10 is added, and, thus, claim 1-10 remain pending for consideration, which is respectfully requested.

No new matter has been added in this Amendment. The forgoing rejection is hereby traversed.

**REJECTIONS UNDER 35 U.S.C. §102**

*Claims 1-9 are rejected under 35 U.S.C. §102(e) as being anticipated by Perfit et al. (U.S. Patent 6,535,728).*

**PERFIT**

Perfit et al. discloses analyzing data newly input, such as an ID, by using the fraud database 108, and detecting false data, such as the false ID, which can represent a psychological state of a customer. Accordingly, Perfit et al. only analyzes the input data, such as the input false ID, and not state conditions of the call. Perfit's false ID is electronic data intentionally input from the input device, whereas in the present invention state conditions of an incoming call are analyzed. More particularly, Perfit operates according to generated events, the events being fraud techniques applied to subscriber data and fraud techniques applied to Call Detail Record (CDR) retrieved from the telephone network. See, Perfit, column 10, lines 44-63; and column 5, lines 5-16.

Independent claim 1 and 9 are amended for clarity. In contrast to Perfit, the claimed invention, as recited in amended claim 1, provides "analyzing a CTI server state condition ~~for~~ of the call from the telephone terminal to generate a parameter based on the state condition in the CTI sever for the call, the parameter representing which represents a presumed psychological state of a customer using the telephone terminal." The present invention's CTI server state condition for the call is not the same as Perfit's data intentionally input from the input device, because a customer input data does not reveal any information about a status of an incoming call in the CTI, such as how many calls by the customer, incoming time, how the CTI has dealt

with the call, how many times the CTI has transferred the call, etc. And, thus Perfit only generates a parameter based on the customer input data, and not on the present invention's CTI server state condition for the call.

More particularly, the Examiner appears to rely on Perfit's use of Call Detail Record (CDR) to reject independent claims 1 and 9 (page 3, item 4 of the Office Action, Perfit, column 5, lines 5-16). First, clearly Perfit's use of subscriber data to detect fraud is not the same as the present invention's use of "a CTI server state condition of the call." Second, however, Perfit's use of the CDR is also not the same as the present invention's use of "a CTI server state condition of the call," because the CDR only provides details about a message within a telephone network to setup a call connection (i.e., telecommunication activity), which can include input data via the call connection. Perfit's use of the CDR differs from the present invention's "a CTI server state condition of the call," because the present invention's "state condition in the CTI server for the call" relates to a status of the call within the CTI server 50 that is in communication with the telephone network 30, 40 (i.e., how the incoming call has been handled by the CTI system 50). See, FIG. 1 of the present Application. In other words, in the present invention "the state condition in the CTI sever for the call" is generated (determined) at the CTI sever 50 or based upon the CTI server 50 activity, but in Perfit, the CDR is generated by the telephone network. See, Perfit, column 5, lines 4-42, in which the CDR loader 104 generates events based upon CDRs received from the switch 102. Perfit discloses that the switch 102 may be any wired or wireless telecommunications switch, or may be a mediation device for aggregating a number of switches, or may also include a roamer type or roamer network connection to receive call information relating to local subscribers from other switches or geographic regions (column 5, lines 16-24). In other words, in Perfit, the telephone network generates CDRs to provide call information about calls on the telephone network, and Perfit does not disclose or suggest (does not contemplate) the present invention's CTI server that operates based upon a state condition in the CTI server for an incoming call.

In other words, Perfit does not disclose the present invention's analyzing a status of an incoming call, and generating a customer psyche parameter based on the incoming call status. In contrast to Perfit, the present invention analyzes a state condition in the CTI system for the incoming call (i.e., call status within the CTI system). In contrast to Perfit, the present invention's state conditions of a call in the CTI system are, for example, data about the call received at the CTI system (FIG. 3A), dealing data regarding how the CTI has dealt with the incoming call (FIG. 3B), and transfer data regarding number of times the incoming call has been transferred within the CTI system (FIG. 3C), and neglect data about the call received at the CTI system indicating previous disconnections or non-responses by the CTI system (FIG. 3D). See, page 7, line 22 to

page 9, line 4, of the present Application. Then, in contrast to Perfit, the present invention generates "a parameter based on the state condition in the CTI server for the call."

New claim 10 provides an alternative recitation of the present invention. Support for independent claims 1 and 9, including new claim 10, can be found, for example, on page 3, lines 3-11; page 5, lines 20-32; page 6, lines 10-21; and page 10, lines 5-18, of the present Application. In contrast to Perfit, the present invention as recited in new claim 10 provides:

analyzing computer server state conditions of the received telephone terminal call to generate at least one customer psyche parameter based on the state conditions in the computer server for the received telephone terminal call, the at least one psyche parameter representing a presumed psychological state of the calling customer.

In view of the remarks, it is believed that independent claims 1 and 9, and new independent claim 10, and dependent claims thereof, are in condition for allowance, which is respectfully requested.

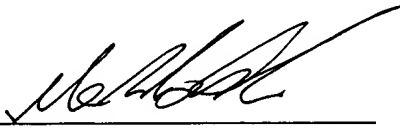
### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,  
STAAS & HALSEY LLP

Date: 12/29/2003

By:   
Mehdi Sheikerz  
Registration No. 41,307

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501